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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.              | CONFIRMATION NO.       |
|--|-------------|----------------------|----------------------------------|------------------------|
| 10/602,032   | 06/24/2003  | Yasuhiro Kawakita    | 31759-190419                     | 9539                   |
| 26694  | 7590        | 07/30/2007           |                                  |                        |
| VENABLE LLP<br>P.O. BOX 34385<br>WASHINGTON, DC 20043-9998 |             |                      | EXAMINER<br>ROSE, HELENE ROBERTA |                        |
|  |             |                      | ART UNIT<br>2163                 | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>07/30/2007          | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/602,032 | <b>Applicant(s)</b><br>KAWAKITA, YASUHIRO |  |
|                              | <b>Examiner</b><br>Helene Rose       | <b>Art Unit</b><br>2163                   |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) 2 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1. In response to communication filed on 5/10/2007, Claims 1 and 12 were amended. Claim 2 was cancelled. Claims 13 and 14 were added.
2. Applicant's arguments filed with respect to the rejected claims in view of the cited references have been considered but are moot in view of applicant's amended claims necessitate new ground(s) of rejection.

**Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated Abu-Hakima et al (US Patent No. 6,820,237, Date Filed: Jan. 21, 2000, hereinafter Abu-Hakima).

Claim 1:

Regarding claim 1, Abu-Hakima teaches an information processing system for processing unit data including a plurality of information elements partitioned at predetermined divisions comprising:

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a division processing section dividing a body of an e-mail of said unit data into the plurality of information elements based on the predetermined divisions or separators (column 4, lines 1-5, wherein if the e-message is determined by the polling agent to comprise text it is forwarded to an extractor 100 extracts keywords, terms, and phrases from it, the e-message polling agent returns the header information, i.e., sender, time, and subject information, of the received e-message and the extracted keywords, terms, and phrases to a user bias agent, Abu-Hakima) where the plurality of information elements have an information structure that can be viewed by a user to detect information of information elements consistent with a predetermined division (column 4, lines 13-20, wherein the extractor works in conjunction with a user bias agent which also processes a received e-message to check its content in the preferred system which includes the header thereof and any attachment thereof for nay key words, terms and/or phages which have been set by the user and obtained by the user bias agent and column 4, lines 59-63, wherein a store of unified indexed e-messages contains all original received messages and an interpreted e-messages viewer is provided and enable the user to review the interpreted messages produced by the user bias agent, Abu-Hakima) where the division processing section stores patterns related to multiple types of divisions ~ (Figure 3, all features ~ which illustrates patterns corresponding to multiple types of divisions (hierarchical links), which corresponds to patterns and wherein figure 3 is further defined in column 6, lines 1-9, wherein it defined a multi-hierarchical network and column 6, lines 21-26, which shows a person X being referenced by navigating through either the contacts knowledge object or the organization knowledge object, Abu-Hakima)

an extraction processing section allocating a logical structure to each of the information elements divided by said division processing section (column 4, lines 13-21, wherein the extractor works in conjunctions with a user bias agent which processes a received e-message to check its content, which includes the header thereof and any attachment thereof, for any keywords, terms and/or phrases which have been set by the user bias agent, Abu-Hakima);

a condition determination section supplied with a select condition, and selecting the information element conformable to the select condition from among the plurality of information elements obtained by dividing said unit data (column 8, lines 7-14, wherein this reads over "if the use locator agent receives conflicting information about the location of the user and devices to which the user has access, it makes use of a probability function to select the most likely device that the user can be reach through, Abu-Hakima); and

a notification section notifying a user of the information element selected by the condition determination section (column 8, lines 57-67, wherein the explanation agent explains why an action was taken and so forth, Abu-Hakima).

Claim 12:

Regarding claim 12, Abu-Hakima teaches an information processing method for processing unit data including a plurality of information elements partitioned at predetermined divisions, comprising the steps of:

allowing a division processing section to divide a body of an e-mail of said unit data into the plurality of information elements based on the predetermined divisions where the plurality of information elements have an information structure that can be viewed by a user to detect information of information elements consistent with a predetermined division

and the division processing section stores patterns related to multiple types of divisions (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same rationale, Abu-Hakima);

allowing an extraction processing section to allocate a logical structure to each of the information elements divided by said division processing section, the logical structure indicating a meaning of each information in each of the information elements (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same rationale, Abu-Hakima);

allowing a condition determination section to be supplied with a select condition (Refer to claim 1, wherein this limitation is substantially the same/or similar, Logan), and to select the information element conformable to the select condition from among the plurality of information obtained by dividing said unit data (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same rationale, Abu-Hakima); and

allowing a notification section to notify a user of the information element selected by the condition determination section (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same rationale, Abu-Hakima).

Claim 13 (New):

Regarding Claim 13, Abu-Hakima teaches wherein the division processing section divides the body of the e-mail based on the stored patterns by detecting sections consistent with one of the patterns (column 1, lines 2-5, wherein extracted information includes keywords, terms and or phrases to a user bias agent and column 4, lines 27-31, wherein

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when the user bias agent interprets the e-message by navigation the user preferences knowledge base it may also utilize information contained in a background knowledge repository if such is of assistant to interpreted the e-message, wherein the "background knowledge repository" is interpreted to correspond to stored patterns", and column 4, lines 43-45 wherein the background knowledge agent constructs the URL name which it then tries to match to an entry in a central domain database, wherein this is interpreted to correspond to "detecting sections consistent with one of the patterns", Abu-Hakima)

Claim 14 (New):

Regarding Claim 24, Abu-Hakima teaches wherein the e-mail includes articles and is divided based on a stored pattern where leads of an article are arranged first, a summaries of the article are arranged second and URL's that show the locations where the articles are stored are arranged last (see table 1, wherein this is illustrated in column 6 and column 7, lines 12-16 and column 5, lines 65-67, Abu-Hakima).

Claim Rejection – 35 U.S.C 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Hakima in view of Carley et al (US Patent No. 6,701,345, Filing Date: April 13,2000).

Claim 4:

Regarding claim 4, most of the limitations of this claim have been noted in the rejection of claim 1. However, Abu-Hakima does not teach wherein “compensation processing section determining whether each of the information elements divided by said division processing section includes insufficient information in light of said logical structure, and compensating for the insufficient information to thereby complete a typical structure if there is the insufficient information.

On the other hand, Carley teaches a compensation processing section (column 13, lines 11-12, wherein an addition of specific materials or device counteract a known error, Carley) determining whether each of the information elements divided by said division processing section includes insufficient information in light of said logical structure (column 13, lines 10-11, wherein data is validated according to database and/or specific business rules and if no validation errors are found the data is loaded into the diamond database, Carley), and compensating for the insufficient information to thereby complete a typical



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structure if there is the insufficient information (see Figure 2, diagram 232 and column 13, lines 22-26, wherein the structure is separated in a files according to good and bad files, Carley).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate Carley teachings into Abu-Hakima system. A skilled artisan would have been motivated to combine as suggest by Carley for identifying what information is relevant or not relevant from a document as well as providing tailored information to a user to improve the overall consistency of the system.

Claim 5:

Regarding claim 5, most of the limitations of this claim have been noted in the rejection of claim 4. In addition the combination of Abu-Hakima and Carley teaches wherein said compensation processing section compensates for said insufficient information by accessing a Web server providing detailed information on the information element including said insufficient information (see Figure 2, all features and column 12, lines 56-67 and lines 1-16, respectively, wherein insufficient information when data does not match, Carley).

Claim 6:

Regarding claim 6, most of the limitations of this claim have been noted in the rejection of claim 4. In addition the combination of Abu-Hakima and Carley teaches wherein if an excessive description exists in light of said logical structure (column 13, lines 45-52, wherein a data management template may specify specific particular sizes of the files and records to be loaded match the data management template, Carley) compensation

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processing section delete the excessive description (see Figure 2, column 59, lines 13-18, Carley).

Claim 7:

Regarding claim 7, most of the limitations of this claim have been noted in the rejection of claim 1. In addition the combination of Abu-Hakima and Carley teaches a storage section (see Figure 1, diagram 120 and column 28, lines 26-27, Carley) storing one of said unit data (column 28, lines 47-59, Carley) and said information elements (see Figure 3, diagram 304 and columns 28-29, lines 61-67 and lines 1-4, Carley).

Claim 8:

Regarding claim 8, most of the limitations of this claim have been noted in the rejection of claim 7. In addition the combination of Abu-Hakima and Carley teaches wherein said storage section stores identification information for identifying said unit data (column 79, lines 36-39, wherein customer number is used for identifying applications and column 37, lines 61-63, wherein request ID, refers to same question, Carley).

Claim 9:

Regarding claim 9, most of the limitations of this claim have been noted in the rejection of claim 7. In addition the combination of Abu-Hakima and Carley teaches a search section (column 16, lines 34-35, Carley) receiving an input of a search keyword or a question sentence (see Figure 7, diagram 702 and column 15, lines 24-27, Carley), and thereby executing a search to articles stored in said storage section (column 13, lines 2-9, Carley) and returning an answer sentence in response to a search result or the question sentence (column 37, lines 35-41, Carley).

Claim 10:

Regarding claim 10, most of the limitations of this claim have been noted in the rejection of claim 1. In addition the combination of Abu-Hakima and Carley teaches a translation section translating said information elements into a different language (column 94, lines 37-44, wherein tools are used to translate elements into different languages, Carley).

Claim 11:

Regarding claim 11, most of the limitations of this claim have been noted in the rejection of claim 1. In addition the combination of Abu-Hakima and Carley teaches wherein said unit data is a mail magazine (columns 4-5, lines 65-67 and lines 1-2, respectively, wherein the data is medical records, Carley).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Hakima in view of Conklin et al (US Patent No. 6,338,050).

Claim 3:

Regarding claim 3, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, Abu-Hakima is silent to wherein the term "XML" is utilized for allocation of logical structure.

On the other hand, Conklin discloses wherein XML (extensible Markup Language) is utilized for allocation of said logical structure (see Figures 10-1 10-3, all features and column 28, lines 7-17, wherein it allocates the logical structures to its respective divided articles, Conklin).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate Conklin teachings into Abu-Hakima system. A skilled artisan

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would have been motivated to combine as suggest by Conklin wherein XML is utilized for allocation of said logical structure.

Therefore, a skilled artisan would have been motivated to do so by incorporating eXtensible Markup Language (XML, hereinafter) because XML, is designed to meet the challenges of large-scale (excessive) electronic publishing such as a magazine and articles, wherein articles (XML documents) are already made up of storage units called entities, which defines either parsed or unparsed data in a logical structure.

#### **Response to Arguments**

Applicant's arguments filed on 5/10/2007, with respect to the rejected claims in view of the cited references have been considered but are moot in view of applicant's amended claims necessitate new ground(s) of rejection.

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### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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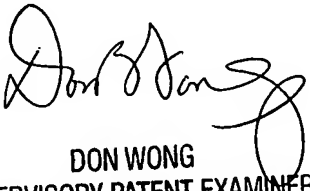
**Point of Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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July 21, 2007

  
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